

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

TROOPER 1,

Plaintiff,

v.

NEW YORK STATE POLICE, ANDREW CUOMO, MELISSA DEROSA, and RICHARD AZZOPARDI,

Defendants.

Case No. 22-cv-00893 (LDH) (TAM)

**DECLARATION OF THERESA TRZASKOMA IN OPPOSITION TO TROOPER 1'S
AND CHARLOTTE BENNETT'S MOTION TO QUASH BENNETT-RELATED
SUBPOENAS AND IN SUPPORT OF FORMER GOVERNOR
ANDREW M. CUOMO'S CROSS-MOTION TO COMPEL**

I, THERESA TRZASKOMA, an attorney admitted to practice before this Court, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner at the law firm Sher Tremonte LLP, counsel to Governor Cuomo in the above-captioned action.

2. I submit this declaration in opposition to plaintiff Trooper 1's and nonparty Charlotte Bennett's motions to quash and in support of Governor Cuomo's cross-motion to compel. I have knowledge of the issues described herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of Trooper 1's Rule 26(a) Initial Disclosures, dated June 13, 2022.

4. On a page titled "Activism," Ms. Bennett's personal website links to several sources that detail her experience reporting sexual misconduct at Hamilton College. Her website is publicly available at <https://www.charlotte-bennett.com/activism>.

5. Ms. Bennett spoke at length about a formal sexual misconduct complaint she pursued during an October 10, 2016 Hamilton College Student Assembly Meeting. Minutes memorializing the meeting are publicly available. *See The Central Council of Student Assembly, Hamilton College, Student Assembly Meeting October 10, 2016*, available at <https://students.hamilton.edu/documents/Minutes101016.pdf>.

6. Ms. Bennett's experience reporting sexual misconduct at Hamilton College was also reported on by the College's newspaper and detailed in a report issued by the College. *See* Emily Eisler, *Administration addresses students' HSMB policy concerns*, THE SPECTATOR (Oct. 29, 2016), available at https://issuu.com/hcspectator/docs/10-20-16_press ("Charlotte Bennett '17 who discussed her own experience pursuing a formal investigation with the HSMB, the results of which were detailed in the report from which this controversy originally stems.").

7. One of Ms. Bennett's sexual misconduct complaints at Hamilton College eventually became the subject of a federal lawsuit, *John Doe v. Hamilton College*, No. 17 Civ. 1202, filed in the Northern District of New York on October 30, 2017. A true and correct copy of the complaint filed in that action, at ECF No. 1, is attached hereto as **Exhibit 2**.

8. There has been public reporting regarding Ms. Bennett's involvement in the *John Doe v. Hamilton College* lawsuit, particularly with regards to the allegation contained in the complaint that she coordinated with others to bring false allegations of misconduct against John Doe:

- a. Erik Wemple, *Why did the media ignore an allegation against an accuser of Andrew Cuomo?*, THE WASHINGTON POST (Jan. 10, 2022), available at <https://www.washingtonpost.com/opinions/2022/01/10/andrew-cuomo-accuser-lawsuit/>.

b. @360_newsreader, Twitter (Mar. 10, 2021 7:11 PM),
https://twitter.com/360_newsreader/status/1369803205513605122 (“An organization founded by Charlotte Bennett and Bennett herself is mentioned in two lawsuits about coordinated multiple false allegations against male students. Hamilton College already settled one case.”).

9. On February 24, 2021, the New York Times published an article concerning Lindsey Boylan’s allegations against Governor Cuomo. *See* Jesse McKinley and Luis Ferré-Sadurní, *Ex-Aide Details Sexual Harassment Claims Against Gov. Cuomo*, N.Y. TIMES (Feb. 24, 2021), available at <https://www.nytimes.com/2021/02/24/nyregion/cuomo-lindsey-boylan-harassment.html>.

10. Three days later, on February 27, 2021, the New York Times published an article concerning Charlotte Bennett’s allegations against Governor Cuomo. *See* Jesse McKinley, *Cuomo is Accused of Harassment by a 2nd Former Aide*, N.Y. TIMES (Feb. 27, 2021), available at <https://www.nytimes.com/2021/02/27/nyregion/cuomo-charlotte-bennett-sexual-harassment.html>. In this article, the New York Times refers numerous times to the fact that it “reviewed [text] messages” that Ms. Bennett had “retained” from the relevant period relating to her allegations against Governor Cuomo. The article also directly quotes some of these messages.

11. On August 3, 2021, Ms. Bennett was a guest on CBS Evening News with Norah O’Donnell, where she spoke at length about the OAG Investigation. In the interview, Ms. Bennett claimed that, during the relevant period, she was “taking contemporaneous notes” and “sharing all of these events with my friends and family.” Her interview is publicly available at <https://www.youtube.com/watch?v=bhMOP94Glf8>.

Dated: New York, New York
July 19, 2023

/s/ Theresa Trzaskoma
Theresa Trzaskoma